

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PSA, Inc., )  
                  )  
Plaintiff,     )  
                  )  
v.               )  
                  )  
Dean Hollis Velazco et al., )  
                  )  
Defendants.     )

Civil Action No. 04-389-KAJ

**SCHEDULING ORDER**

This 26<sup>th</sup> day of June, 2006, the Court having conducted a scheduling and planning conference pursuant to its order dated June 1, 2006, and the parties having determined after discussion that the matter cannot be resolved at this juncture by settlement, voluntary mediation, or binding arbitration;

IT IS ORDERED that:

1.     Summary Judgment Briefing. The Plaintiff shall serve its response to the Defendants' pending motion for summary judgment on or before July 6, 2006. The Defendants shall serve their reply brief, if any, on or before July 11, 2006.
2.     Settlement Conference. Pursuant to 28 U.S.C. § 636, this matter is referred to the United States Magistrate for the purpose of exploring the possibility of a settlement. The Magistrate Judge will schedule a settlement conference with counsel and their clients to be held within ninety days from the date of this Order.
3.     Pretrial Conference. On November 15, 2006, the Court will hold a Final Pretrial Conference in Chambers with counsel beginning at 4:30 p.m. Unless otherwise ordered by the court, the parties should assume that filing the pretrial order satisfies the pretrial disclosure

requirement of Federal Rule of Civil Procedure 26(a)(3). The parties shall file with the court the joint proposed final pretrial order with the information required by the form of Final Pretrial Order which accompanies the Court's order entered February 4, 2005 on or before October 16, 2006.

4. Motions in Limine. Motions *in limine* shall not be separately filed. All *in limine* requests and responses thereto shall be set forth in the proposed pretrial order. Each party shall be limited to five *in limine* requests, unless otherwise permitted by the court. The *in limine* requests and any response shall contain the authorities relied upon; each *in limine* request may be supported by a maximum of five pages of argument and may be opposed by a maximum of five pages of argument. If more than one party is supporting or opposing an *in limine* request, such support or opposition shall be combined in a single five page submission, unless otherwise ordered by the Court. No separate briefing shall be submitted on *in limine* requests, unless otherwise permitted by the Court.

5. Jury Instructions, Voir Dire, and Special Verdict Forms. Where a case is to be tried to a jury, pursuant to Local Rules 47 and 51 the parties should file proposed voir dire, instructions to the jury, and special verdict forms and jury interrogatories three full business days before the final pretrial conference. That submission shall be accompanied by a computer diskette (in WordPerfect format) which contains the instructions, proposed voir dire, special verdict forms, and jury interrogatories.

6. Trial. This matter is scheduled for a three day jury trial beginning at 9:30 a.m. on December 11, 2006 through December 13, 2006. For the purpose of completing pretrial preparations, counsel should plan on each side being allocated a total of eight hours per side to present their case.

Dated: June \_\_\_, 2006  
Wilmington, Delaware

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KENT A. JORDAN  
UNITED STATES DISTRICT JUDGE